

**DEPARTMENT OF HEALTH SERVICES**

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CMSP Letter No: 99-02  
Issue Date: February 18, 1999

**TO:** All County Medical Services Program Welfare Directors

**SUBJECT** AID-PAID PENDING AND THE CMSP HEARING PROCESS

This letter is to remind counties that CMSP beneficiaries are entitled to receive Aid Paid Pending (APP) when a hearing request is received prior to the effective date of the adverse action contained in a Notice of Action (NOA).

While all hearings involving eligibility issues are the responsibility of each county, the CMSP beneficiary is to be given APP whenever a hearing request is made prior to the effective date of the stated adverse action on a NOA.

The current CMSP Eligibility Manual does not address APP issues specifically, however, section 0179 (d)(1) requires that adverse NOAs be mailed "...at least 10 calendar days prior to the first of the month in which the action becomes effective."

The intent of this requirement is two-fold:

- 1) The individual be given sufficient time to correct any erroneous information or to supply any information that would mitigate the adverse action; and,
- 2) The individual is allowed to continue his/her eligibility and share of cost uninterrupted pending the hearing decision.

Any county currently not adhering to the APP process must do so and should include, on the back of the county NOAs, a statement that reads "If you request a hearing before the effective date of the proposed action shown on this notice your benefits may continue." Presently, we acknowledge that many counties have this statement on their NOAs.

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We will be adding clarifying language in the revised Eligibility Manual to address APP and the hearing issue.

If you have any questions or comments about this issue, please direct them to Mr. Gary Varner, of the CMSP Unit, at (916) 322-1613.

Sincerely,



Linda McFarland, Chief  
County Medical Services Program

cc: Mr. Gary Varner  
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